

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Delaware

FAY S. GUNDLACH,

Plaintiff,

V.

ALIAS SUMMONS IN A CIVIL CASE

CASE NUMBER: 05-491-KAJ

FOOD LION, L.L.C., a subsidiary of
DELHAIZE AMERICA,

Defendants.

TO: (Name and address of defendant)

Food Lion, L.L.C. a subsidiary of DELHAIZE AMERICA
% Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Patricia Smink Rogowski
CONNOLLY BOVE LODGE & HUTZ LLP
1007 N. Orange Street
P.O. Box 2207
Wilmington, DE 19899-2207

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

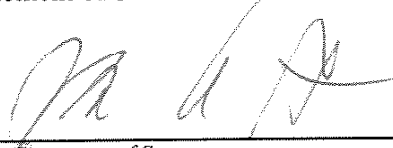
CLERK

DATE

8-25-05

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ⁽¹⁾	DATE <u>8/25/05</u>	
NAME OF SERVER (PRINT) <u>JOHN A GARBER</u>	TITLE <u>Process Server</u>	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): <u>PERSONALLY SERVED FOOD LION, LLC A SUBSIDIARY OF</u> <u>DELTAIZE AMERICA, by SERVING ITS REGISTERED AGENT, THE</u> <u>CORPORATION SERVICE COMPANY, AT 2711 CENTERVILLE RD, WILM DE 19808</u> <u>AT 1:35 PM PERSON ACCEPTING SERVICE: MARY DRUMMOND</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Executed on <u>8/25/05</u></p> <p style="text-align: center;">Date</p> </div> <div style="width: 50%;"> <p style="text-align: center;"></p> <p style="text-align: center;">Signature of Server</p> <p style="text-align: center;"><u>PARCLES INC, 230 N. MARKET ST</u></p> <p style="text-align: center;">Address of Server <u>WILM DE 19801</u></p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.